

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE  
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 21 NOVEMBER 2012**

**Present:** Councillor Sandy Taylor (Chair)

Councillor Rory Colville	Councillor Robert G MacIntyre
Councillor Robin Currie	Councillor Donald MacMillan
Councillor Fred Hall	Councillor Alex McNaughton
Councillor David Kinniburgh	Councillor James McQueen
Councillor Alistair MacDougall	Councillor Richard Trail

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme Forrester, Solicitor  
Patricia O'Neill, Central Governance Manager  
Johan MacKinnon, Applicant

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Mary Jean Devon and George Freeman.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR AMENDMENT OF TAXI OPERATOR LICENCE (J MACKINNON, CARDROSS)**

The Chair welcomed everyone to the meeting and introductions were made.

Mr Reppke advised that email notification had been received from Maxine Fletcher advising that she would not be attending the hearing.

The Chair invited Ms MacKinnon to speak in support of the application.

Ms MacKinnon began by saying that when she had filled out the application for the amendment to the operators licence there had been no opportunity on the form to give reasoning for her amendment. Ms MacKinnon advised that it was necessary for her to be away from home on occasion due to family issues and that she needed someone to assist with the business. She advised that she was very fortunate to have the Campbell family to help her. Mrs MacKinnon made reference to the point made in the objection regarding her being a retired school teacher and advised that she had recently lost her partner and the taxi business gave her a purpose and a focus. Ms MacKinnon advised that there was no valid objection in the letter and told the Committee that she believed that the objection was due to a past grievance with Mr Campbell and the objector. She questioned whether if the application had been for a partner other than a member of the Campbell family if the same objection would have arisen.

Members were given the opportunity to ask Ms MacKinnon questions.

Councillor Taylor asked Ms MacKinnon to describe how her business currently operated. Ms MacKinnon advised that she currently ran the business and employed a driver, Kenny Mercer.

Councillor Kinniburgh asked if Mr Campbell would also drive if he became partner. Ms MacKinnon advised that Mr Mercer had set hours that he worked and that Mr Campbell would drive the hours that Mr Mercer didn't.

Councillor Currie asked why this application had come before the Committee. Ms MacKinnon advised that there had been an objection to the continuation of the licence when she applied stating that she would transfer the licence to Mr Campbell should it have been approved.

Councillor Trail asked if Ms MacKinnon intended to transfer the licence to Mr Campbell. Ms MacKinnon advised that she had no intention of transferring the licence to Mr Campbell.

Councillor Currie noted that when the application had come before the Committee for continuation that the same comments had been made.

Councillor Kinniburgh asked if a condition had been placed on the approval of the licence when it had come before the Committee for renewal. Mr Reppke confirmed that there had been a condition placed on the approval which required Ms MacKinnon to come before the Committee should she have requested any amendment to be made to the licence.

Councillor MacIntyre asked if this had been the only objection received to which he was told that there had also been objections from other taxi operators.

Councillor Colville asked if Mr Campbell wanted to take over the licence would it require to come before the Committee. Mr Reppke advised that generally this would be an administrative process dealt with by Licensing unless an objection was placed. He suggested that a similar condition could be placed as was when the licence was renewed should the Committee be minded to grant the amendment to the application. Councillor Colville commented that this would be helpful.

The Chair invited Ms MacKinnon to sum up and she advised that she had nothing further to add. The Chair then asked Ms MacKinnon if she considered that she had received a fair hearing to which she confirmed that she had.

Councillor Hall advised that he supported the application but requested that a condition be placed on it requesting that any further amendments to the licence come before the Committee. Councillor Kinniburgh agreed.

## **Decision**

The Committee agreed to grant the amendment to Ms MacKinnon's taxi operators licence subject to the condition that any further amendments to the licence come before the Committee for approval whether objections were received or not.

(Ref: Report by Head of Governance and Law dated November 2012,  
submitted)